

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:24MJ565
	:	
HAMZA ALTAF KHAWAJA	:	

ORDER

The United States of America by and through the United States Attorney for the Middle District of North Carolina, has moved to redact the Criminal Complaint affidavit and entirely seal the Supplement to its Motion in the above-referenced matter.

The Court has inherent authority to order the sealing of a complaint and warrant. Baltimore Sun Co. v. Goetz, 886 F.2d 60, 64 (4th Cir. 1989); In re Reporters Committee for Freedom of the Press to Unseal, 357 F. Supp. 3d 528 (E.D. Va. 2019). On the *ex parte* showing before the Court, the Court determines that the United States has made a *prima facie* showing that justifies sealing the criminal complaint and affidavit in support, and filing a redacted version in their place. The Court further determines that the United States has made a *prima facie* showing that justifies sealing of the Supplement to its Motion for Partial Sealing.

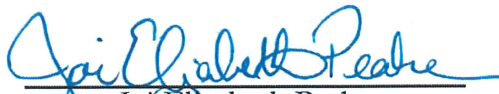
The Court has specifically considered the Criminal Complaint materials, including the Affidavit and the Government's Motion to Redact, and the Court concludes that the Government has offered a compelling interest in completing the criminal investigation and protecting sources and witnesses. The Court finds that unsealing of the materials would undermine the investigation including by revealing sources of information, impacting the safety of potential witnesses, and leading to potential destruction of evidence and witness tampering. In addition, the sealing is very narrowly tailored and is limited to redacting only names and identifiers to protect the witnesses and prevent obstruction and interference in the investigation.

Further, in the interest of clarity, the Court will also direct the Government to file another redacted version of the Complaint using separate numerical designations for the individuals, so that the redacted version of the Complaint is easier to follow.

IT IS THEREFORE ORDERED that the Motion for Partial Sealing is GRANTED, and the Criminal Complaint and the Affidavit in Support thereof filed in the above-referenced matter and the Sealed Supplement to the Government's Motion for Partial Sealing shall be sealed and maintained in the custody of the Clerk of Court unless otherwise ordered by the Court. Stamp-

filed copies may be provided to duly authorized law enforcement officers and the United States Attorney's Office prior to sealing.

This, the 2nd day of January, 2024.


Joí Elizabeth Peake
United States Magistrate Judge